GENERAL AND REVENUE SECRET

1907-08
(Madurai)

File No. 494.

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Recovering possession of the Sri Vyasaraya Swami matt house at Kollegal from the hands of usurpers.

PREVIOUS REFERENCES.	LATER REFERENCES.
	Mdu F 256-09

MUZRAI SECRETARIAT

OFFICE NOTE.

File

SUBJECT.

Recovering possession of the Sri Vyasaraya Swami matt house at Kollegal from the hands of usurpers

From

The Mysore Government Agent
for Sri Vyasaraya Swami Matt

Report No. 42 Dated 13th March 1908.

The mahajans of Kollegal submitted a Petition to this Office Regd. No. 2111 16.11.07 bringing to notice that a house in a Brahmin agrahar at Kollegal belonging to the Sri Vyasaraya Swami Matt has been usurped by those in whose possession the matt authorities left the house. It has now changed several hands. They therefore requested that the house may be recovered from the hands of the usurpers. In a subsequent representation, Regd No. 2963 22.1.08 the mahajans of Kollegal pressed for early orders in the above matter lest any delay would bar the claim

File No. of Muzrai Secretariat.

of the Matt for the house under the Law of Limitation.

2 These petitions were referred to the Government Agent of the Matt for enquiry and submission of a report. The report above referred to has been submitted by the Govt Agent which in the abstract reads thus: —

3 In former days one Annadana Subbashetty built an Agrahar near Sri Lakshmi Narayana Swami temple and made presents of all the houses in the Agrahar to brahmins & one of them to the Sri Vyasaraya Swami [illegible]

4 The Matadhipate of the time left the house in the possession of one Srinivasa Rao on condition that when the Matt requires the house back from the occupant it shall pay him the amounts he may spend up to that time in repairing and making additions to the building.

Twenty five years ago the then Matadhipathe Srimad Vidya Sri Siddhe Teertha Swamiga Vararu demanded the house back from Srinivasa Rao. A Panchayet was held to as to what amount is due to him

— 7-05

Muz 8A]

Muzrai Secretariat. | File No. of 190

from the Matt on account of repairs and additions made to the house by Srinivasa Rao. A sum of Rs. 500 was settled by the Punchayetdars as payable by the Matt to the occupant of the house from whom a remission of Rs. 150 was obtained by the Matt, and the remainder Rs. 350 was fixed as the sum due by the Matt to Srinivasa Rao.

Srinivasa Rao was led to continue to remain in the house. A Birmahapatrika purporting to have been written to the Matt by Srinivasa Rao and his two sons Kesava Rao and Rungaiah is to be seen in the possession of the Mahajans in which these persons have requested the Swatantrudu the Srimad Vidya Sri Siddhi to let the Sannidhanam to let them continue to reside in the house on condition that they shall not demand thereafter the hayuda & charges that they might incur in repairing the house

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and that they would receive from the Matt the above sum of Rs 350 after delivering the house & the in the condition in which it then stood. The Binnaka patrika is only signed by Kesava Rao & Rungia Rao the sons. Srinivasa Rao but not by Srinivas Rao — an omission which the surviving Punchayatdars should explain having been called on to speak to the genuineness of the document. Matadhikari Rungaiangarasimhachar and Subbanachar are the only two of the Punchayetdars who are now living. These are the circumstances under which Srinivasa Rao and his sons continued to reside in the Matt house.

6 After the death of Srinivasa Rao and his Eldest Son Kesava Rao one Narayen Setty a creditor of the latter obtained a Decree against his sons for an unsecured debt and purchased the Matt house.

in which the judgment debtor were residing in satisfaction of the Court decree.

Thereupon one Thulasee Bai, (vide genealogical tree) daughter of Jeevan Rao the brother of Srinivasa Rao, obtained possession of half the matt house under a Court decree on the ground that she inherited half the house from her father as the sole surviving heiress of her father who died without a male issue and then sold it to her uncle's son Ranga Rao, i.e., the son of Srinivasa Rao. Ranga Rao has now sold this half to one Putta Venkatasami a woman of dancing girl class. She has removed the materials of the house and laid it bare as a building site.

8 Narayan Seth Sold off the materials of his half house and his sons who inherited the other half of the site of this matt house sold off the other half.

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recently sold away the site also to the same Putta Venkataeani in a Benami transaction in the name of one Seshasetti

The Mahajans of Kollegal having become indignant over the matt house going to ruins and much more so the matt building site in the midst of Brahmin street or Agraharam having gone to the possession of a prostitute have to government to recover possession of the house site from her hands as the right of the matt in the property remains firm even to this day although the property has changed several hands

The Mahajans have in their the Birmahapatrike above mentioned and other proofs both documentary and oral which would go to Establish the right to the house in a Court of law. these proofs may be utilized

Muz. 8A]

Muzrai Secretariat. | File No. of 190

by the Government and the house property recovered for the Mutt from the hands of the usurpers by filing a suit the cost of which in the aggregate will be about Rs 35. In the event of the Court upholding the right of the Mutt to the house site a property worth about Rs 300 or so will revert to the Mutt. The persons who are to be sued against are all well to do people and there is therefore no fear as to recovering Court costs from them.

No. 4238 B/27 dated the 9th March 1908.

to be returned

Forwarded (with the entire File) to the Government Advocate, for favour of his opinion.

By Order

23/3/08

Ramalingam Rao
Secy to Govt
Muzrai Deptt

File No. of 190 Muzrai Secretariat.

No. 226.

The Instt seems to be out of possession of the house for generations past. The Conditions under which the Instt allowed the house to be occupied by the ancestors of Sreenivasa Rao were not evidently reduced to writing. In the absence of any evidence to the Contrary, the presumption is that a person in possession of any property is the owner the Sreenivas Rao and his brother Jeevan Rao divided the property and enjoyed their shares separately. Though the Binnahapatrika was written so far back as 1881-2, the terms thereof were not carried out. The document only seems to be incomplete by the absence of the Sy Sreenivas Rao. Jeevan Rao or he not a party it.

M. 7 8A]

Muzrai Secretariat. | File No. of 190

In this circumstances the punishment from of the rights of the daughter of Jeevanna Rao cannot be learnd by this document The genuineness of the patrika is also open to doubt It was not produced before any authority till the hearn went into the possn. of a person who is an enemy to the inhabitants of the locality I entertain grave doubts as to the success of the proposed suit.

S. Narayana Rao
Govt Adv

28 3. 08)

3974/30-3-08

Submitted
to 30/3/08

Show this to the
Govt Agent when
he returns
31/3/08

M

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05.

Muzrai Secretariat. | File No. of 190

(note Continued)

Kuppu Row and certain others of Kollegal in their present petition Regd no 4270 d/ 22 April 1908 represent that the first agent came to Kollegal and enquired into the matter in March last and — also consulted two local Pleaders who suggested early institution of Civil suit for recovering possession of the matt house, ~~that~~.

They pray that early orders may be issued for the lodging of the suit and that may be favored with a copy of the order passed on the Agent's report.

M 23/4/08) Submitted for orders

24/April/08

Give this to the Govt Agent for his remarks - Early -

6/5/08

25

File No. of 190 | Muzrai Secretariat.

MGCPB—2,500—1-8-05

Mu 8 A]

Muzrai Secretariat	File No. of 190

I beg respectfully to represent that it is true that as a result of the Government Estimate there is good deal of uncertainty as to the success or a decision for the recovery of possession of the Math house at Kattigi.

2. Matto are visited by a very respected by the Community of large particularly when the festival is on Sunday. In the Investigation of the matter we to visit Kattigi the inquiries are kindly helped us in the matter hospitality of more than 30 or 35 days for filling the Estimate to the satisfaction of this Department by means to remove the eye sore existing in their Agrahara a pucca [illegible]

File No.	of 190	Muzrai Secretariat

GPB—3,000—25-9-07

M 2.8 A]

Muzrai Secretariat | File No. of 190

about enjoying the Inam rights subject to the private arrangements to keep up their right of house property. From a socialistic point of view this investigation of a prostitute residing in a house hereditary to a matter in connection with the ancestors.

3. The present matter is in connection of recovering the house of Hollipet Jogi.

4 I respectfully beg to state that the request of the petitioner may if desirable be examined from the point of view above mentioned.

M. Rajamanickam
Superintendent in the
Commissioner's Office

Bangalore
7th May 1908

7/5/08

File No. - of 190 Muzrai Secretariat

GPB—3,000—25-9-07

Mu 8 A]

Muzrai Secretariat	File No. of 190

Muzrai Secretary's Remarks:-

Orders are solicited as to whether under the circumstances stated above, sanction may be accorded to a suit being filed for the recovery of the house. The Govt. Advocate thinks there is no likelihood of success but both the Mutt and the disciples at Kollegal are anxious that an attempt should be made in the matter. The amount involved being small, I think sanction may be given to the institution of the suit in deference to the views of the Mutt and of the disciples at Kollegal.

Submitted to the 2nd Commissioner 492

A suit may be filed for the recovery of the house

11.5.1908

21.05

File No.	of 190	Muzrai Secretariat

GPB—8,000—25-9-07

20/11

Muz. 3]

GOVT. OF H. H. THE MAHARAJA
OF MYSORE.

MUZRAI DEPARTMENT.

OFFICIAL MEMORANDUM.

No. 9.1.2.1.9

The accompanying Petition No. 2111
dated 7th November 07 received at this
Office from S' Lakshmana Rau and
others of Kollegal stating that
there is a house in the street
of Sri Lakshmi Narayanaswami
Temple at Kollegal ~~attached~~
belonging to the Sri Vyasarayaswami math
~~at Soode~~ and praying that it
may be taken ~~to the~~ possession of Govt
~~is forwarded, together with its enclosures, to the~~ by Govt
is forwarded to the Govt Agent
Sri Vyasarayaswami math
~~Hosapete, Bellary District~~
for ~~favour~~ report.

By Order,

21/11/07
Secretary,
Muzrai Department.

BANGALORE,
-11-1907.

Encl to Depty Secy

Encl

Off Memo

24/1

No. 3425-D/28.1.08

Encl

The accompanying petition Regd no 2963 dy 20 January 1908 received in this Office from C.V. Kuppuswami & certain others of Kollegal re ~~taking possession~~ the house at Kollegal alleged to belong to the Sri Vyasarayaswami matt, is forwarded to the Govt agent in continuation of ~~Govt~~ this Office Memo: no 2487 dy 23 Nov 1907.

2. The Govt agent is requested to ~~visit~~ proceed to Kollegal at his at an early date & submit a detailed report

~~the early~~ at an early date
for ~~such~~ orders ~~necessary~~

By order

[illegible] 25/1/05

Secretary

by [illegible]

No 3426 D/23.1.08

Endorsement granted
to C. V. Kuppuswamy
Mudaliar of Kollegal in
reply to their petition
Regd as 2963 of 20 Jany
1908 regarding the
house alleged to belong
to the Sri Vyasarajaswamy
Matt

The Petitioners are
informed that the
Govt agent ~~Coorg~~ has
~~proceeding to~~ been
asked to go to Kollegal
and enquire into the matter
as soon as he finishes
some urgent work he
is now attending to
which he is

JL 25/1/08
Secretary

MYSORE MUZRAI DEPARTMENT.

MYSORE GOVERNMENT 3811 19.3.08 SECRETARIAT

OFFICE OF THE MYSORE GOVERNMENT AGENT
FOR SRI VYASARAYASWAMI MATT.

No. 42 DATED, Camp Mysore, 13th March 1908.

Enclosures 5

To

THE SECRETARY
TO THE GOVERNMENT OF H. H THE MAHARAJA OF MYSORE
IN THE MUZRAI DEPARTMENT
BANGALORE.

Report submitted by M. Raghavendra Rao, the Mysore Government Agent for Sri Vyasarayaswami Matt.

Reference :— Government orders Nos 2487 & 3425 dated 23rd November 1907 and 28th January 1908 respectively from Mahajans of Kolligal in Coimbatore District

Subject :— Recovering possession of Sri Vyasaraya Swami Matt house at Kolligal from the hands of usurpers.

Sir,

In returning the Petitions received with the orders quoted above I respectfully beg to report that agt to instructions contained in para 2 of order No. 3425 dated 28th January 1908 I proceeded to Kolligal and inspected the Matt house referred to by the Mahajans in their petitions. The following is the result of my enquiries as to the Matts claim for the house:-

2 So far back as the time when Kolligal was a part of the Mysore Territories, it would appear that one Anadana Subbaseth built the Agrahar, as

Recd 14/3/08
Mr. [illegible]

Submitted
to
I have endorsed on the Office Note, referring the case to the Govt Advocate for opinion
23/3/08

lower in the accompanying rough sketch near Sri Lakshmi Narayana Swami Temple in an oblong form consisting of houses of 6 ankanams each and made presents of them to brahmins. The Sri Vyasarayaswami Matt also received the present of a house in the Agrahar which house is the subject matter of this report.

3 The Matadhipatties in those days permitted one Srinivasa Rao to reside in this house free of rent on condition that the Matt would reimburse to him the expenses which he may incur in repairing or making any additions to the house. Srinivasa Rao continued to reside in the house under these conditions till 25 years ago then the then Matadhipatti Srimad Vidya Sri Sindhutirtha Swamigalavaru called upon Srinivasa Rao to surrender possession of the house to the Matt A panchayet was convened for the purpose of settling accounts to what money was due to Srinivasa Rao by the Matt towards the charges incurred by him for repairs cuted and additions made to the building. Of who took part in the Panchayet Matadhikari ganarasimha char and Subbanachar are present and are residing in the Jelundeer gee and the rest died. These persons consented make a remission of Rs 150 out of Rs 500 which settled as the value of work done by Srinivasa to the house. This person having requested permission to continue to live in the house, it was to him on condition that he Srinivasa Rao forego his claim for the future repairs

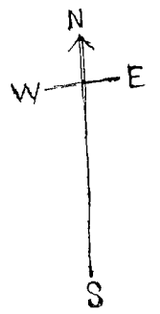
Rough
The S
Sri

Sri Lakshmi Narayana swamy Temple.

R

G

sh showing the situation of
sara a swamy mutt house
mi Narayana Swamy
ste Agrahar
Kollegal



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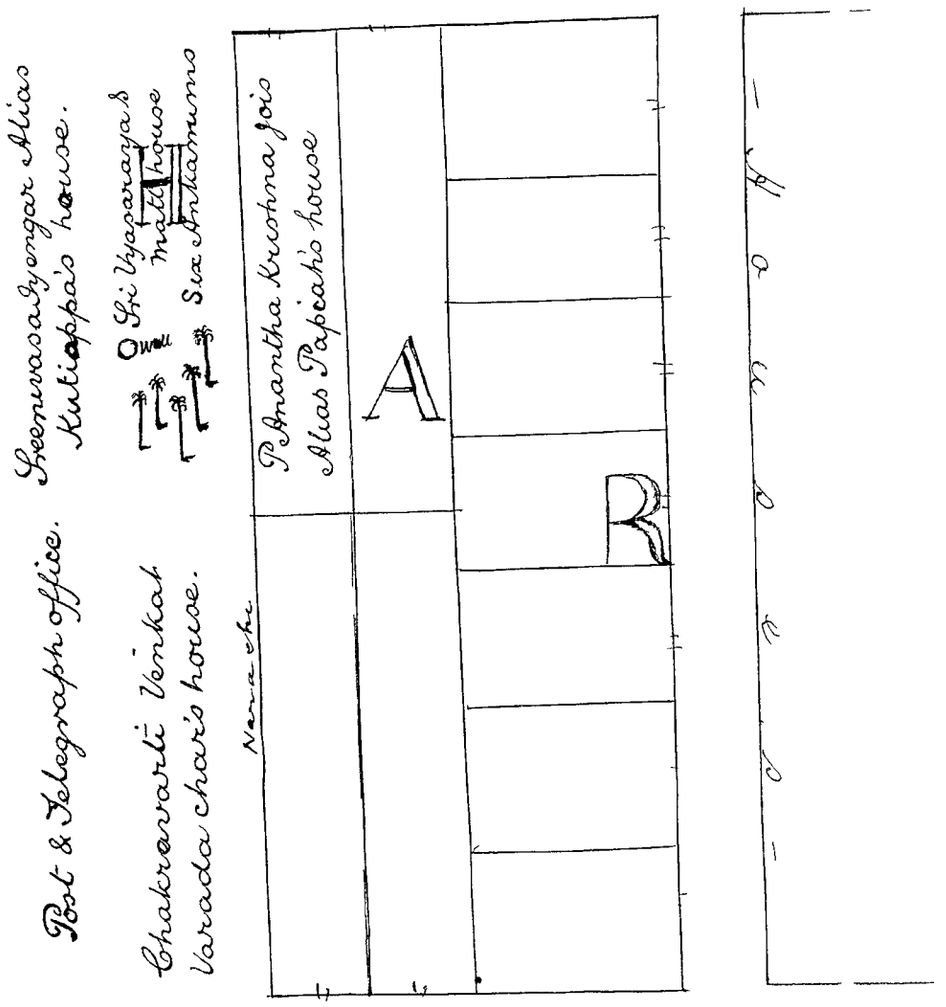


D

By Rajkumar
Mysore Lyons Agent
for Sri Vyasaraya Swami
Mutt

4 After the death of Srinivasa Rao and Kesa
Rao

and that he should receive the remaining Rs 350 from the Matt when the Matt requires the house delivering the same to the Matt in the state in which it was at that time. back from him. In these terms a Bunnakapatrika purporting to have been addressed to Sri Vidya Sri Sudhi tertha Swamigalavaru by Srinivasa Rao and his two sons Kesava Rao and Rungia Rao on (ತಾ ೦೪-೦೬-೧೯೦೧) Vikshe Kartarka Bahula Punchami, but it bears only the signatures of Kesavarao and Rungarao and does not contain the signature of Srinivasa Rao This document had been filed in Kolligal Munsiffs Court on behalf of the Matt by Matadhikari Rungia narasimha Achar in Connection with O.S No 31 of 1901 and again taken back by him from the Court together with a public copy thereof. The Mahazar have taken both these documents from the above named Matadhikari and in Event of a Suit to recover possession of Matt house from the hands of the lessee, the matadhikari should be called to present these documents to the Court & and to explain why Srinivasa Rao did not sign the document. The Mahazar also proves documents registered or otherwise which are admissable in Court in Evidence the house in question is described as Vyasaraja Swami House.

4. After the death of Srinivasa Rao and Kesa Rao one Narayana Setty a Creditor of the late

25.12.0 as per accompanying Estimate
kindly furnished to me by Mr N. Devaji
Rao a local Pleader of Kolligal. We may
have to add a sum of Rs 9.4.0 to this as
incidental charges. In all a sum of Rs 35
would be required to conduct the case.
If the suit is decided in favor of the Matt
and possession of property recovered the
Mahajan are anxious to put upon the site
a building Even with some contribution
from them in money and materials.

9. In this case the money Consideration
is not the point, but the interest of the Mahajan to
see the restoration of the building site to the
Matt from the hands of the usurpers and their
desire to revive the Vyasaraya Swami Matt
house in this Agrahar are points which
the Mahajan submit for the favorable Consideration
of Government. The documentary evidence they
hold were shewn to two leading Pleaders at
Kolligal and the Mahajan explained to them what
oral Evidence they could let in. The Pleaders
said that there is every probability of the
Matt succeeding in the case. Apart from these
proofs there is nothing in the possession of the
usurpers to shew that the property was conveyed
to Srinivasa Rao or Jeevan Rao or their descendants
his brother
Bimakapta Vishu year referred to in

para 3 it is clear that the house is not their ancistral property. As the Matt was not made a party to the suits in which the Matt's house was made liable to the debt and subjected to the partition among the Guants the decrees in those suits do not bind the Matt. The Mutadhi-pathy's position as land lord of the house remains unaltered even to this day. The surviving descendants & heirs of Srinivas Rao & his brother Jeevan Rao and those who came to the possession of the property by virtue of sale have no title to the property.

10 In these circumstances there appears to be a good case for the Matt. The defendants who are Vendors and Vendees are at Solvent persons. There is no fear for the recovery of the Court costs from them in the event of a decree in favor of the Matt. The amount required for filing the suit is only Rs 35. The prayer of the Mahajan may be sanctioned. Some of the more earnest among them are even anxious to conduct the litigation at their own private cost but this they have to do in the name of the Matt and the Matt has to lend its name

to them for the purpose. But to drive the Mahajen to this extremity appears to be, in my humble opinion, undesirable and impolitic. In the interests of the Matt the good will and sympathy of the Mahajen of a town in the British territories close to the Head Quarters of the Matt has also to be wished for. As the evidence of some very old persons is needed for the success of the suit if filed the Mahajen are eagerly looking forward to ~~[illegible]~~ see to the filing of the suit which may be sanctioned at the expense of the Matt funds.

I beg to remain

Sir

Your most Obedient Servant

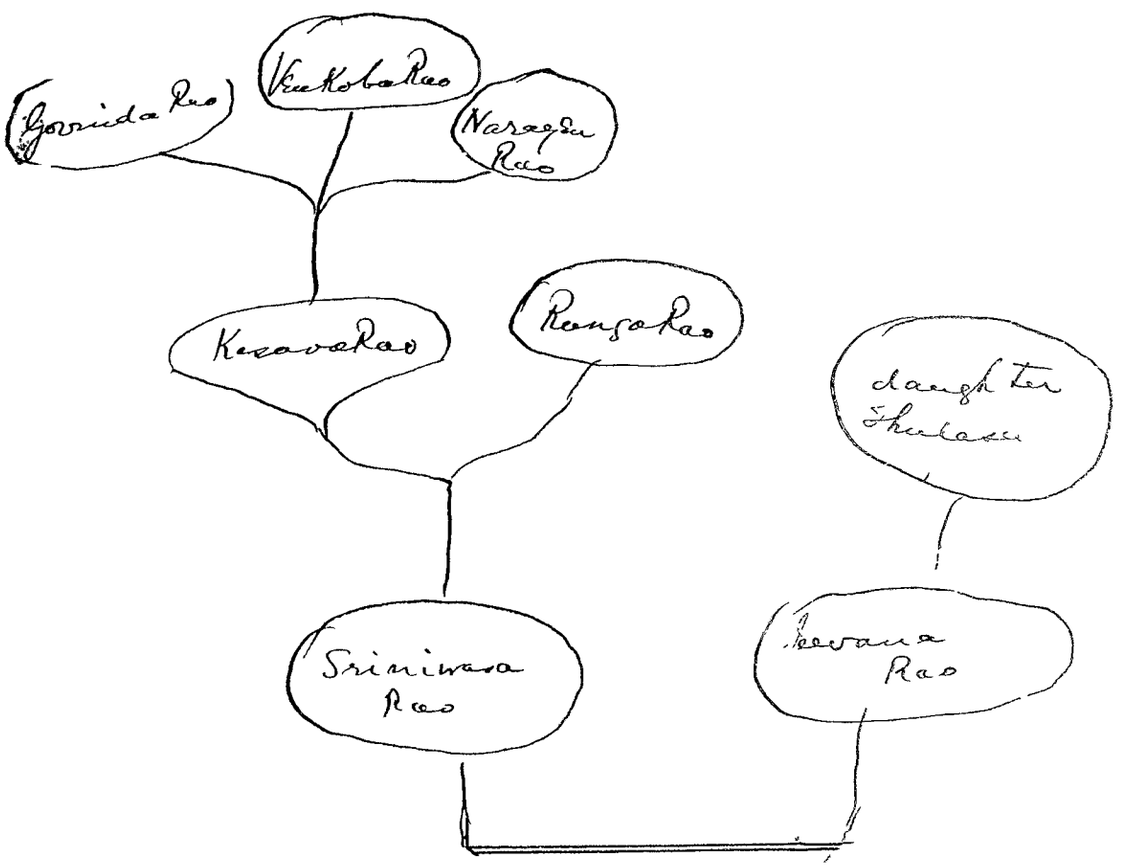
M. Raghavendra Rao

Mysore Government Agent

for Sri Vyasaraja Swami Matt.

"True copy"
M. Raghavendra Rao 1/5/64
Mysore Govt. Office
for Sri Vijayanagar Institute

Genealogical tree of the family of persons who were in the possession of the Sri Vyasaraya Swami Matt house in Sri Lakshmi Narayanaswami temple Agrahar at Kalinga



[illegible] for report

MYSORE GOVERNMENT
MUZRAI SECRETARIAT

[illegible]

[illegible]

7/11/07

S. Lakshmanarao

C. Doraisamy Iyengar

[illegible]

C. R. Reference
please 6.12.08

Annutha Savanur Rev. Esq.

Secretary Inamdari Dept

Inside Durbar

Bangalore

Sir,

With reference to your Endorsement No 2488 of 23.11.07 enclosing to us that the Govt. agent of Sree Durgaparameswari of Sabalai will enquire into the matter of usurpation of a Mattam house in Kollegal belonging to the said Mutt, we the undersigned Mahajans of Madhwa Community of Kollegal most respectfully beg to state that the Govt agent of Sabalai in the above mentioned Endorsement has not yet come to Kollegal.

As the Mattam house has been going into the possession of one person from another, it is not desirable to put off the matter.

We have got documentary evidence supported by other evidences to establish the right of the Mutt in House. to Vegetable Mutt. and we fully believe & assure that if any Sirkar are taken the Mutt could recover [illegible]

of the Kacca

Under these circumstances we most humbly & earnestly request that the Govt a good refs to in the first instance refly may be directed to go away & Kollegal for the time, Consult with us and look into the records and then do the needful - we beseech the immediate measures lest any such that we may have to lose on behalf of the suit may not be saved by time of limitations - It is needless for us to state the importance and urgency of the matter - we would once solicit the favour of dispatch of a telegram to the Sowcar's Govt agent to go here at once - expecting the kindness of an early refy

We beg to remain

Sir

20.1.08

Yours most obt Svts

G. V. Kempaiah

S. Lakshmanarao

(4 Signatures)

C. Doraiswamy Iyengar

M. Govindaraja Iyengar

A. Ramanujam Iyengar

Kollegal 20 April 87

Report-
Ref: Resolution
with reference
Continue note
W. 21/1088

MYSORE GOVERNMENT
427
MYSORE SECRETARIAT
22.6.87

From

C. V. Kuppa Rao & others
Inhabitants of Kollegal
Kollegal

To The Secretary to Government
Mysore State
Bangalore

Sir,

Adverting to our memorial relating to the Mattam House belonging to Sri Vyasaraya Mutt Swamy we beg to inform you that in obedience to the orders issued in February last Mr M. Raghavendrachar the Govt agent came here enquired into the matter in the beginning of March last and returned saying that a detailed Summary of the case would be submitted for favour of early orders of Mysore Govt. Prior to his departure the Govt agent Consulted with two local Pleaders who suggested early institution of a Civil Suit towards recovering possession of the Mattam house with

with assurances of success of our cause. The institution of a Suit in the matter will cost about Rs 30 By restoring possession of the house in question to the Mutt, the Purpose Govt. will preserve the Sanctity of His Holiness Sri Swamigal besides ratifying the Maharajas of Kollegal who do not brook to see the Mattam house in the possession of a dancing girl.

Under these circumstances among others already brought to notice we most respectfully pray that early orders may be issued for the lodging of the Suit, if that was not already done. and that we may be favoured with a copy of the order passed on the agents report in the matter In this connection we desire to submit that the Headers with whom Rao Bahadur Rao interviewed & consulted are equally anxious to hear of the orders passed on the agents report

We beg to remain
Sir
Your most obedt Servt
for self & Bros

29/5

(Read :— Correspondence ending with Report no 42 dated 13th March 1908, from the Govt. Agent, Sri Vyasarayaswami Matt.— Soliciting orders regarding the filing of a Civil suit for recovering possession of a house belonging to the Matt, at Kollegal, Coimbatore District.

—"—

Order thereon—Rc.

No. 5441-29/4.6.08.

It Some of the disciples of the Sri Vyasarayaswami Matt ~~who are the~~ and residents of Kollegal petitioned their office of bringing to notice that a house

in a two Brahmin Agrahar at Kotigal
belonging to the Jnana Prakasha Swamy Matt
has been usurped by
those in whose possession
the Matt authorities
left the house that
it has now changed
several hands and
requested that the possession
of the house may be
recovered by filing a ~~suit~~
suit & restored to the
Matt. The petition
was forwarded to the
Govt Agent for report.
He ~~it~~ reports that the
house is worth about
Rs 300/- and that the
cost of filing a suit
will be about Rs 35
& that the Swami gaha
of the Matt is also desirous

of recovering possession
of the house if possible
2. Under the above
circumstances the
institution of a civil
suit for recovering
possession of the house
at Kollegal is
sanctioned. The
charge should be met
from the Inam funds.
The Government Agent
should take early
steps in the matter
and report the result
to Govt

If cleared

30/5/08

Secretary

To The Govt Agent
Sri Vijayaraya Inam
Comptroller, Mysore Govt

Vol 26/5/08

No. 544 C.

Govt Vs Kollegal N. Kuppuswamy
& others.